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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/734,583	12/15/2003	Hidetoshi Andou	2923-595

CONFIRMATION NO. 2600

6449  
ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
1425 K STREET, N.W.  
SUITE 800  
WASHINGTON, DC 20005

## FORMALITIES LETTER



\*OC000000013013809\*

Date Mailed: 06/21/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

08/24/2004 EFLORES 00000059 10734583

01 FC:1001  
02 FC:1051

770.00 UP  
130.00 OP

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**


Total additional fee(s) required for this application is \$900 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/734,583  
Applicant : ANDOU et al.  
Filed : December 15, 2003  
TC/A.U. : 3738  
Examiner : Not Yet Assigned

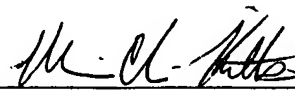
Docket No. : 2923-595  
Customer No. : 06449  
Confirmation No. : 2600

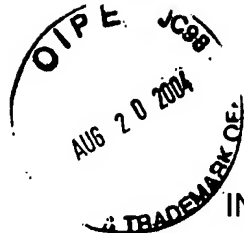
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Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS AND STATEMENT UNDER 37**  
**C.F.R. § 1.821(f)**

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 21, 2004 (a response copy is attached), an initial Sequence Listing is submitted and its entry into the application is respectfully requested. An initial computer-readable form of the Sequence Listing is also submitted, and it is hereby certified that the content of the Sequence Listing information recorded in the computer readable form is identical to the Sequence Listing written on paper, and contains no new matter.

Respectfully submitted,

By   
Monica Chin Kitts  
Attorney for Applicants  
Registration No. 36,105  
ROTHWELL, FIGG, ERNST, & MANBECK  
Suite 800, 1425 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 783-6040



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/734,583  
Applicant : Hidetoshi ANDOU et al.  
Filed : December 15, 2004  
TC/A.U. : 3738  
Examiner : Not Yet Assigned

Docket No. : 2923-595  
Customer No. : 06449  
Confirmation No. : 2600

Mail Stop: Missing Parts  
Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450


RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice to File Missing Parts mailed June 21, 2004, the items checked below are attached in the order listed:

x	Fee transmittal itemizing payment of the fees enumerated thereon. If any additional payment is required, please charge such to Deposit Account No. 02-2135. An extra copy of the fee transmittal form is also attached for that purpose.
x	A response copy of the Notice to File Missing Parts
x	A declaration/power of attorney executed by the inventor(s)
x	A preliminary amendment
	A substitute specification
	Formal drawings comprised of ____ sheets
	An English translation of the non-English specification originally filed
x	A sequence list in paper
x	A sequence list in computer-readable form
x	A statement verifying the contents of the sequence list
	An information disclosure statement, form 1449 and copies of the references
x	Certified copy(ies) of the priority document(s)

	Other:
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Remarks:

<input checked="" type="checkbox"/> Customer Number or Bar Code Label <b>6449</b>					
Name	Steven M. Giovannetti, Reg. No. 51,739				
Signature				Date	8/20/04
Address	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031

**FEE TRANSMITTAL  
for FY 2004  
(Large Entity)**

Complete if Known

Application Number	10/734,583
Filing Date	December 15, 2003
First Named Inventor	Hidetoshi Andou
Examiner Name	
Group Art Unit	3738
Attorney Docket Number	2923-595

Total Amount of Payment (\$900.00)

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status

2. ☒ Payment Enclosed

☒ Check

☐ Credit Card

**FEE CALCULATION**

**1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
1001	770	Utility filing fee	[770]
1002	340	Design Filing Fee	[ ]
1003	530	Plant Filing Fee	[ ]
1004	770	Reissue Filing Fee	[ ]
1005	160	Provisional Filing Fee	[ ]

**SUBTOTAL \$770**

**2. CLAIMS**

Paid	Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee
	[10]			- 20** = [ ]	x \$18 = [ ]	
		[2]		- 3** = [ ]	x 86 = [ ]	
				+	290 = [ ]	

\*\*or number previously paid, if greater;

**SUBTOTAL \$**

**FEE CALCULATION (continued)**

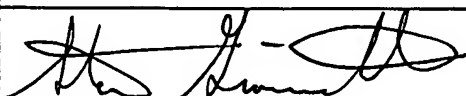
**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	[130]
1052	50	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1804	1,840*	Requesting publication of SIR after Examiner action	[ ]
1251	110	Extension for reply within first month	[ ]
1252	420	Extension for reply within second month	[ ]
1253	950	Extension for reply within third month	[ ]
1254	1,480	Extension for reply within fourth month	[ ]
1255	2,010	Extension for reply within fifth month	[ ]
1401	330	Notice of Appeal	[ ]
1402	330	Filing a brief in support of an appeal	[ ]
1403	290	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
1452	110	Petition to revive -unavoidable	[ ]
1453	1,330	Petition to revive - unintentional	[ ]
1501	1,330	Utility issue fee (or reissue)	[ ]
1502	480	Design issue fee	[ ]
1503	640	Plant issue fee	[ ]
1460	130	Petitions to the Commissioner	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
8021	40	Recording each patent assignment per property (times number of properties)	[ ]
1809	770	Filing a submission after final rejection (37 CFR .129(a))	[ ]
1810	770	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
1801	770	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
		Other fee (specify)	[ ]

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL**

**\$130**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Steven M. Giovannetti, Reg. No. 51,739		
SIGNATURE		DATE	8/20/04
DEPOSIT ACCOUNT USER ID			